

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ART SHY, et al.

Plaintiffs,

v.

NAVISTAR INTERNATIONAL
CORPORATIONAL, et al.

Defendants.

Case No. C-3-92-333
Judge Walter Herbert Rice

SUPPLEMENTAL BENEFIT
COMMITTEE OF THE NAVISTAR
INTERNATIONAL TRANSPORTATION
CORP. RETIREE SUPPLEMENTAL
BENEFIT PROGRAM,

Intervenor-Plaintiff,

v.

NAVISTAR INTERNATIONAL
CORPORATION,

Defendant.

AFFIDAVIT OF WILLIE E. WILDER

County of)
 :
District of Columbia)

WILLIE E. WILDER, being duly sworn, deposes and says:

1. My name is Willie ("Will") E. Wilder. I am over eighteen (18) years of age, have never been convicted of a felony, and am in all respects competent to make this

Affidavit. I have personal knowledge of the facts contained herein, and they are true and correct.

2. I am one of the attorneys representing the Supplemental Benefit Committee of the Navistar International Corporation Retiree Supplemental Benefit Plan (the "Committee"). In that capacity, I have examined the documents by the parties in this litigation.

3. Exhibit A hereto is a true and correct copy of the Settlement Agreement executed by the International Union, United Automobile Aerospace and Agricultural Implement Workers of America ("UAW"), Navistar International Corporation ("Navistar"), and other named parties on June 30, 1993, relating to the provision of retiree medical benefits ("Settlement Agreement").

4. Exhibit B hereto is a true and correct copy of an excerpt of the Settlement Agreement, relating specifically to the Profit Sharing Plan.

5. Exhibit C hereto is a chart representing the actual contributions Navistar made to the Profit Sharing Plan (established under the Settlement Agreement) between 1995 and 2010.

6. Exhibit D hereto is a true and correct copy of the May 4, 2010 letter sent to Navistar from the Committee relating to Navistar's failure to provide required reports and schedules per the terms of the Profit Sharing Plan.


7. Exhibit E hereto is a true and correct copy of Navistar's April 6, 2011 response to the Committee's May 4, 2010 letter.

8. Exhibit F hereto is a true and correct copy of the November 14, 2011 letter sent to Navistar from the Committee relating to Navistar's failure to provide required reports and schedules per the terms of the Profit Sharing Plan.

FURTHER AFFIANT SAYETH NOT.


Will E. Wilder

SUBSRIBED AND SWORN TO BEFORE ME on this 3rd day of April, 2012, to certify which, witness my hand and official seal.


Notary Public for the District of Columbia
My Commission Expires _____

DOROTHY M. RUDD
NOTARY PUBLIC DISTRICT OF COLUMBIA

MY COMMISSION EXPIRES
JULY 31 2016

